

## **REMARKS**

### **I. INTRODUCTION**

Favorable reconsideration of this application, in light of the present amendments and the following discussion, is respectfully requested.

### **II. STATUS OF THE CLAIMS**

Claims 3-17 are pending; Claims 1-2 are cancelled; Claims 3-13 are amended; and Claims 14-17 are newly added herewith. It is respectfully submitted that no new matter is added by this amendment.

### **III. SUMMARY OF THE OFFICE ACTION**

In the outstanding Office Action, the September 18, 2006 Information Disclosure Statement is indicated as failing to comply with 37 C.F.R. § 1.98(a)(2); Claims 2 and 13 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite; Claims 1-5 and 12-13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 1,792,718 to *Stoll* (hereinafter *Stoll*) in view of U.S. Patent No. 2,446,311 to *Traxler* (hereinafter *Traxler*); and Claims 6-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Stoll* in view of *Traxler* as applied to the claims above and further in view of U.S. Patent No. 5,724,706 to *Jakob* (hereinafter *Jakob*). For the reasons discussed below, the rejections are respectfully traversed.

### **IV. INFORMATION DISCLOSURE STATEMENT**

The Office Action indicates that the Information Disclosure Statement filed on September 18, 2006 fails to comply with 37 C.F.R. § 1.98(a)(2), because of an illegible copy of a cited foreign patent document. In response, Applicant submits herewith an Information Disclosure Statement citing all of the references from the September 18, 2006 Statement,

including a legible copy of French Patent No. FR 1140516. Applicant respectfully requests consideration of the information provided in the Information Disclosure Statement.

**V. SUMMARY OF CLAIM AMENDMENTS**

By the present Amendment, Independent Claim 1 is cancelled and replaced with new Independent Claim 14. The dependencies of Claims 3-13 are amended to reflect that change and dependent Claim 2 is cancelled. Also, the preamble of each dependent claim is amended to recite a conveyor belt (instead of a junction) to be consistent with new Claim 14. Finally, additional amendments are made to dependent Claims 3-5, 7, 8, 10, 11 and 13 to correct typographical and grammatical errors and to be consistent with the language of new Claim 14. Each rejection of the Office Action is addressed in detail below.

**VI. REJECTION OF THE CLAIMS**

**A. REJECTION OF CLAIMS 2 AND 13 UNDER 35 U.S.C § 112, SECOND PARAGRAPH**

In the Office Action, Claims 2 and 13 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In response, Applicant notes that Claim 2 is cancelled, thereby rendering the rejection thereof moot. As for dependent Claim 13, the phrase “may be” is replaced with “are”. In view of the Amendment to Claim 13, Applicant submits that Claim 13 is definite. Therefore, Applicant requests reconsideration and withdrawal of the rejection of Claim 13 under 35 U.S.C. §112, second paragraph.

**B. REJECTION OF CLAIMS 1-5 AND 2-13 UNDER 35 U.S.C. § 103(A)**

In the Office Action, Claims 1-5 and 12-13 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Stoll* in view of *Traxler*. Applicant respectfully traverses.

Because original Claim 1 has been replaced with new independent Claim 14, Applicant addresses this rejection with respect to new Claim 14. Applicant submits that *Stoll*,

*Traxler*, or the combination thereof fails to teach, suggest or render obvious all of the claim limitations of new independent Claim 14.

New independent Claim 14 recites a conveyor belt, comprising first and second ends and first and second half-junctions at each end, respectively. The first and second half-junctions are shaped to interlink with one another to form a junction and each of the first and second half-junctions has a generally flat shape defining a general plane of the junction.

The first half-junction includes an upper layer and a lower layer that are integral with the first end of the conveyor belt, and a flexible core that extends between the upper and lower layers, the flexible core is folded so as to provide overlapping layers that form a fold protruding towards the second end of the conveyor belt parallel to the general plane of the junction (see, for example, flexible core 6 and fold 8 of Applicant's disclosure). The upper layer and the flexible core are closer to the second end of the conveyor belt than the lower layer (see Fig. 5a of Applicant's disclosure, for example).

The first half-junction also includes inserts that extend through the upper layer and the overlapping layers of the flexible core perpendicularly to the general plane of the junction, the inserts being spaced from the lower layer (see, for example, inserts 13 of Applicant's disclosure).

The second half-junction includes a lower layer and an upper layer that are integral with the second end of the conveyor belt, and a flexible core that extends between the lower and upper layers, the flexible core is folded so as to provide overlapping layers that form a fold protruding towards the first end of the conveyor belt parallel to the general plane of

the junction (see, for example, flexible core 7 and fold 8 of Applicant's disclosure). The lower layer and the flexible core are closer to the first end than the upper layer. The second half-junction includes inserts that extend through the lower layer and the overlapping layers of the flexible core perpendicularly to the general plane of the junction, the inserts being spaced from the upper layer (see, for example, inserts 14 of Applicant's disclosure).

Claim 14 also recites that the flexible core of one of the first and second half-junctions overlaps the flexible core of the other one of the first and second half-junctions at the junction, and the upper layer of each one of the first and second half-junctions is arranged end-to-end with the upper layer of the other one of the first and second half junctions at the junction.

*Stoll* fails to disclose or render obvious all of the claimed features of new independent Claim 14. *Stoll* teaches a splice for a belt 2 that has ends 7 which overlap one another. A flexible ribbon 4 or 14 is provided between the ends.

*Stoll*, however, fails to teach at least first and second half-junctions where each half-junction includes upper and lower layers and a flexible core therebetween, as recited in Claim 14. Instead, *Stoll* teaches only one flexible ribbon (4 or 14) that is between the halves or ends 7 themselves and are not part of the ends. Moreover, because *Stoll* teaches only one flexible ribbon, *Stoll* does not teach flexible cores of first and second half-junctions that overlap one another, as recited in Claim 14.

Moreover, Claim 14 recites that each flexible core of the first and second half-junctions includes overlapping layers that form a fold. In contrast, the flexible ribbon 4 or 14

of *Stoll* is a single layer such as a “spring steel” that is not folded. See figures and page 1, lines 90-91 of *Stoll*.

Therefore, *Stoll* fails to teach, suggest or render obvious at least the above features of new independent Claim 14. Additionally, *Traxler* fails to cure the deficiencies of *Stoll* and also does not teach the claim limitations of new Claim 14.

*Traxler* discloses a power transmission belt 10 that has a body 11 and an embedded grommet 12. The grommet 12 has loops 13 and 14 at the ends of the belt. The loops 13 and 14 extend around embedded spools 18 and 19. A pair of plates 26 and 27 span the ends of the belt. The plate 26 has apertures that receive screws 24 and 25 and the plate 27 has threaded apertures for engaging the threaded ends of those screws.

Even assuming that the grommet 12 and its loops 13 and 14 could be considered a flexible core of the claimed invention, as suggested in the Office Action, the grommet 12 and its loops 13 and 14 do not overlap one another, as recited in Claim 14. Instead, the loops 13 and 14 are spaced from one another, as seen in Figure 1 of *Traxler*. Additionally, the loops 13 and 14 are not folds that are parallel to the general plane of the junction of the ends of the belt. For example, Figures 4, 5a and 5b of Applicant’s disclosure shows folds 8 that are parallel to the junction of the first and second half-junctions. Instead, the loops 13 and 14 of *Traxler* are arranged around an axis perpendicular to the plane of the junction defined by the plates 26 and 27, as clearly seen in Figure 2 of *Traxler*. That is, the spool 18, as seen in Figure 2 of *Traxler*, is perpendicular to the plates 26 and 27 defining the junction of the belt ends, and thus the loop of the grommet 12 extending around the spool 12 is also arranged perpendicular to the junction of the ends.

*Traxler* also fails to disclose the inserts of the claimed invention. More specifically, Claim 14 recites that the first half-junction includes inserts that extend through the upper

layer and the overlapping layers of the flexible core where the inserts are spaced from the lower layer, and that the second half-junction includes inserts that extend through the lower layer and the overlapping layers of the flexible core and are spaced from the upper layer. In contrast, the inserts or spools 18 and 19 of *Traxler* are embedded in body 11 and do not extend through any upper or lower layer, including the plates 26 and 27 and the cover 15, as seen in Figure 1 of *Traxler*. Applicant notes that the screws 24 and 25 of *Traxler* could not be considered the inserts of the claimed invention because the screws 24 and 25 penetrate through all layers of the *Traxler* junction, including the plates 26 and 27 and the cover 15. Thus, the screws 24 and 25 of *Traxler* are not spaced from either an upper or lower layer, as recited in Claim 14.

Consequently, Applicant submits that a prima facie case of obviousness has not been and can not be established because none of *Stoll*, *Traxler* or the combination thereof teaches all of the claim limitations of new independent Claim 14. Therefore, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a).

Dependent Claims 3-13 are also believed to be allowable over *Stoll*, *Traxler*, or the combination thereof for the same reasons discussed above. Moreover, Applicant submits that those claims recite additional features not found in either *Stoll* or *Traxler*.

### **C. REJECTION OF CLAIMS 6-11 UNDER 35 U.S.C. § 103(a)**

In the Office Action, Claims 6-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Stoll* in view of *Traxler* and further in view of *Jakob*. Applicant respectfully traverses.

For the same reasons discussed above, dependent Claims 6-11 are believed to be allowable over *Stoll*, *Traxler* and the combination thereof. Furthermore, *Jakob* fails to cure

the deficiencies of *Stoll* and *Traxler*. Instead, *Jakob* is cited merely for teaching a V shape for front end sections of a belt device.

Accordingly, Applicant submits that a *prima facie* case of obviousness has not been established for Claims 6-11 because at least the limitations of their new independent Claim 14 are not found in *Stoll*, *Traxler*, *Jakob* or the combination thereof. Therefore, Applicant requests reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) of Claims 6-11.

## **VII. NEW CLAIMS**

New Claims 14-17 are added by the present amendment. New independent Claim 14 is addressed above. Dependent Claims 15-17, which depend from Claim 14, are believed to be allowable over the cited prior art for the same reasons discussed above with respect to Claim 14. Also, those claims recite additional features not found in the cited prior art. For example, new dependent Claim 15 recites that the inserts are cup and bush inserts allowing passage of assembly rods; dependent Claim 16 recites that each of the assembly rods extends through one of the inserts of the first half junction and through one of the inserts of the second half junction without protruding from the junction; and dependent Claim 17 recites that the junction and each half-junction have a maximum thickness that is equal to or slightly less than that of the end of the conveyor belt. Accordingly, Applicant respectfully requests allowance of new Claims 14-17.

## **VIII. CONCLUSION**

Consequently, in view of the foregoing discussion and present amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Please charge any shortage of fees or credit any overpayment thereof to BLANK ROME LLP, Deposit Account No. 23-2185 (126115.00101). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this report, Applicant hereby petitions under 37 C.F.R. §1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully submitted,

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Date: January 26, 2011